

AO91 (Rev. 8/01) Criminal Complaint

United States Courts
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

NOV 10 2014 AV

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk
Laredo Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Misti Lea GRANDSTAFF -1

Case Number:

514M11419-1

Manuel Alejandro GARZA -2

-2
-3

Mario Humberto Garza III 11/10/14 3

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about November 05, 2014 in Zapata County, in the Southern District of Texas Misti Lea GRANDSTAFF and Manuel Alejandro GARZA and Mario Humberto GARZA III, a citizen of the United States, United States and United States, did unlawfully transport seven undocumented aliens within the Southern District of Texas knowing or in reckless disregard of the fact that said aliens had come to, entered, or remained in the United States in violation of law, and transported or moved said aliens within the United States by means of motor vehicle or otherwise, in furtherance of such violation of law;

in violation of Title(s) 8 United States Code, Section(s) 1324
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts: Based on statements of the accused and records of the U.S. Department of Homeland Security.

Continued on Affidavit

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Uriel A. Lopez

Printed Name of Complainant

Sworn to before me and signed in my presence,

November 10, 2014
Date

at

Laredo, Texas
City and StateGuillermo Garcia, U.S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Misti Lea GRANDSTAFF, Manuel Alejandro Garza,
Mario Humberto Garza III. *11/10/14*

Case Number:

On November 5, 2014, at approximately 2:46 P.M. a Border Patrol Agent (BPA) was flagged down by Zapata County Sheriff's Office investigators requesting assistance on a vehicle stop on U.S. Highway (Hwy) 83. Investigators informed the BPA they witnessed a driver, later identified as Misti Lea Grandstaff, pick up four individuals from the brush along U.S. Hwy. 83. Investigators then relayed the information to a Zapata County Sheriff's Deputy who performed a vehicle stop on a 1999 silver Pontiac Grand Prix.

Investigators also informed the BPA that once on the vehicle stop, the driver had admitted she had picked up illegal immigrants and that she had been hired by "Betito" Garza to transport four illegal immigrants to Zapata for \$100. Prior to that, investigators had witnessed a red Ford Mustang that was usually driven by Mario Humberto Garza (AKA Betito) following the silver sedan southbound on U.S. Hwy. 83. Investigators had knowledge that Garza is known to conduct counter surveillance against law enforcement for loads of illegal aliens or narcotics. They then observed the silver sedan pull off to the side of the road and four males quickly ran out of the brush and into the car. The driver then accelerated her speed and continued south on U.S. Hwy 83. At the point, the Investigators followed both vehicles and approximately at a quarter mile, the red Mustang made a U-turn to head north on U.S. Hwy 83. Zapata County Sheriff's Deputies then conducted a vehicle stop on the red Mustang and detained three subjects, Mario Humberto Garza, Alejandro Garza, and Francisco Javier Castro.

This information was relayed to the Border Patrol Agents who then arrived on the scene. The agents then began to interview the occupants of the vehicle for immigration purposes. The driver, Misti Lea Grandstaff, stated that she was a United States citizen. The four passengers admitted to being citizens of Mexico with no legal documents to be in or remain in the United States. All five subjects were placed under arrest, read their Miranda Rights and were taken into custody. All subjects were transported to the Zapata Border Patrol station for processing. Investigators informed BPA's that they also had Mario Humberto Garza, Manuel Alejandro Garza, and Francisco Javier Castro who were in the Mustang in custody as well, due to speeding and their involvement in the illicit activity.

Once at the station Grandstaff was re-read her Miranda Rights and signed form I-214 before questioning. A sworn statement was conducted pertaining to Grandstaff's involvement in transporting illegal aliens. Grandstaff divulged that Mario Humberto Garza and Manuel Alejandro Garza were also involved in the illicit activity. Grandstaff stated that Mario Humberto Garza was the foot guide of the group and Manuel Alejandro Garza was the scout. She claims to have little to no knowledge on the third subject. At that point contact was made with Zapata County Sheriff's Office investigators and informed them on the details revealed, of the involvement of Mario Humberto Garza and Alejandro Garza. At that point both subjects were turned over by Zapata County Sheriff's Office. The third subject, Javier Francisco Garza, was taken by the Zapata County Sheriff's Office due to subject having an outstanding parole warrant. Zapata County Sheriff's Office kept custody of all vehicles involved.

Upon the arrival of Mario Humberto Garza and Manuel Alejandro Garza were read their Miranda Rights and both signed form I-214 before questioning.

During processing, the following information was revealed:

Misti Lea Grandstaff was interviewed by Border Patrol Agents and gave the following statement:

On November 5, 2014, Misti Lea Grandstaff admitted to her involvement in transporting four illegal aliens using her 1999 silver Pontiac Grand Prix from Ramireno, Texas to Zapata Texas, but was going to end up transporting a total of seven undocumented aliens. Grandstaff stated that she was hired by "Betito" (Mario Humberto Garza) who was in the red Mustang to transport a total of seven undocumented aliens. She stated that Beto had told her that he had some people he was going to be walking from the bottom and needed a driver since the ones they had, had backed out on them. He asked her if she could do him a favor and would pay her \$100. Grandstaff was asked who was making the arrangements and responded by saying it was Romeo Alaniz and Beto's brother. Grandstaff admitted to accepting Beto's offer and mentioned that she drove up to a gate near the first turn-around heading north on U.S. Hwy 83 while Beto was walking the bodies up from the river. She stated that Alex (Manuel Alejandro Garza) was out on the road driving the red Mustang, watching for law enforcement. Once at the turn around, she said that the red Mustang stopped in the middle of the highway and pointed out the gate where the bodies were hiding at which time Beto got into the red Mustang. As soon as she stopped, she stated that four bodies ran from the brush and got into her car, while three subjects stayed behind. She

mentioned that once she dropped off the first four, she was going back to pick up the other three. Grandstaff stated that once she had picked up the four bodies, Beto and Alex started following her in the red Mustang. They then called her via cell phone and told her they had seen some state troopers and backed off from her. While on the phone, she told them that the cops were behind her and she hung up. She said once she told them the cops had turned on their lights, they turned around and headed back towards San Ygnacio, Texas. When Grandstaff was asked if she knew it was illegal to transport illegal immigrants and she stated she knew it was illegal but needed the money. During the interview, Grandstaff gave BPA's the location of the other three undocumented immigrants she was going to pick up and the subjects were apprehended by Border Patrol Agents.

Mario Humberto Garza was interviewed by Border Patrol Agents and gave the following statement:

On November 5, 2014, Mario Humberto Garza stated that he had gone down to the river to pick up six people and was going to get paid \$100 to guide them to U.S. Hwy. 83. When asked if he knew it was illegal to cross and guide illegal immigrants, he said yes. When asked if he had done this before he said no and that he has only crossed and guided "mota"(Marijuana). Garza told BPA's he had made arrangements with Romeo Alaniz. Garza stated that once Misti picked him up and took him, along with her boyfriend Javier Francisco Castro, to get dropped off at the location where the bodies were going to be crossed. He stated that they got dropped off so the bodies can be guided and so Castro could learn the route of travel they take and begin working a foot guide. Garza then stated that once they walked the bodies up from the river to U.S. Hwy 83, Misti picked up the bodies. He said once they were picked up, they were going to be take everyone to some apartments in Zapata that belong to Romeo. Once at the apartment, Beto said that his brother Alex went to go pick them up and was going to take them back to San Ygnacio, Texas. Garza stated that he is an active member of the Valluco gang.

Manuel Alejandro Garza was interviewed by Border Patrol Agents and gave the following statement:

On November 5th, 2014, Manuel Alejandro Garza admitted to be participating as a scout or lookout for a smuggling load that his brother Mario Humberto Garza was involved in. Manuel Alejandro was asked by his brother Mario Humberto to drive around an area south of Ramireno, TX and look out for law enforcement agencies in the area. Manuel Alejandro was to be in the area and wait for Mario Humberto to walk up the illegal immigrants from the river up to U.S. Hwy. 83. Once by the highway, Manuel Alejandro would be notified by his brother to pick him up. A third person was to pick up the illegal immigrants that Mario Humberto walked up to the highway. Manuel Alejandro scouted in his red Mustang. Manuel Alejandro identified the driver of the vehicle that picked up the undocumented migrants as the blonde girl in the other cell at the Zapata Border Patrol Station (Misti Lea Grandstaff). Manuel Alejandro stated that this was his first time scouting but since his brother had no one else to help him, he agreed to help him. Manuel Alejandro admitted that his brother, Mario Humberto Garza, was to pay him \$150.00 dollars for participating as a scout. Once Mario Humberto Garza walked up the group of illegal immigrants, he called Manuel Alejandro to pick him up on the side of the road. Shortly after, Manuel Alejandro and his brother Mario Humberto were pulled over by Zapata Country Sherriff Deputies for speeding.

Material witness Alejandro MAYA-Peralta made the following statement:

MAYA-Peralta stated that his friends made arrangements for him to be smuggled into the U.S. for an unknown amount of money and instructed him to go to Nuevo Laredo, Mexico. When he arrived in Nuevo Laredo November 4th, 2014, he was approached by an unknown man who asked him his name. After which he was informed that he would be smuggled into the United States on the next day. The next day he was taken to the river banks where six other people were also waiting. He was instructed to get in a boat along with the other subjects and they were taken across the river at approximately 11:00 a.m. on November 5th, 2014. All subjects were met at the river on the United States side by a man who MAYA-Peralta identified as Mario Humberto GARZA. GARZA instructed all the subjects to follow him. After approximately fifteen minutes, a grey car pulled up to their location. GARZA instructed him and three others to get in the car and told the other three subjects to stay behind in the brush. When he got into the vehicle, he stated that it was being driven by a female, which MAYA-Peralta identified as Misti Lea GRANDSTAFF.

Material witness Hector Leonel ROMERO-Rodriguez made the following statement:

ROMERO-Rodriguez stated he arrived to Nuevo Laredo, Mexico on November 2nd, 2014, and began to inquire on who could help him enter the United States illegally. He made contact with an unknown smuggler and he agreed to pay \$400.00 to be smuggled into the United States and to be taken to Mission, Texas. He spent two nights in an unknown house until November 5th when he was then taken to the Rio Grande River. At that time, there were six other people waiting along the river. He was instructed to get in a boat along with the other subjects and they were taken across the river. All subjects were met at the river on the United States side by a man who ROMERO-Rodriguez identified as Mario Humberto GARZA. GARZA instructed all the subjects to follow him. After approximately fifteen minutes, a grey car pulled up to their location. GARZA instructed him and three others to get in the car and told the other three subjects to stay behind in the brush. When he got into the vehicle, he stated that it was being driven by a female, which ROMERO-Rodriguez identified as Misti Lea GRANDSTAFF.

SUBSCRIBED and SWORN to before me this

10th day of November, 2014

Signature of Judicial Officer

Signature of Complaint